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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/539,849	06/20/2005	Paul Stephens	CE00516UM	7950

20280 7590 04/27/2007
MOTOROLA INC
600 NORTH US HIGHWAY 45
ROOM AS437
LIBERTYVILLE, IL 60048-5343

EXAMINER

KARIKARI, KWASI

ART UNIT	PAPER NUMBER
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2617

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/27/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/539,849	Applicant(s) STEPHENS, PAUL	
	Examiner Kwasi Karikari	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 32-55 is/are pending in the application.
- 4a) Of the above claim(s) 1-31 canceled is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 32-55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

Response to Arguments

2. Applicant's arguments filed 02/20/2007 have been fully considered but they are not persuasive.

In the remarks, the applicant argues that Haddad fails to teach "the mobile service provider traveling to a previously undisclosed location where a service is to be performed". However, the Examiner disagrees with such assertion.

Haddad specifically mentions that each vehicle may have route comprising a plurality of different bus stops (see Par 0035); specified location may not be predetermined (see Par. 0019); and the possibility of diverting bus from less busy route to a busy route (see Par. 0024); whereby bus stops are being associated with "traveling to a previously undisclosed location". Haddad also teaches non route-fixed transport, such as taxi (see Par. 0047).

3. Claims 1-31 have been canceled.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

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The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 32-55 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The amended claimed limitations “traveling to a previously disclosed location”, in claims 32 and 52 are not clearly described in the specification as originally filed and this constitute new matter. For examination purposes, the Examiner would interpret the rejected claimed limitations in the broadest scope of the Applicant's invention. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 32-47 and 49-55 are rejected under U.S.C. 102(e) as being anticipated by Haddad et al., (U.S 20030137435 A1), (hereinafter Haddad).

Regarding claim 32, Haddad discloses a method of providing location-based services (= arrival of bus at a specified location, see Par. [0015]) by a mobile service provider (= buses 14a-m, see Par. [0103]) using a wireless communication system (see Pars. [0036 and 0114] and Fig. 1) that facilitates communication with a plurality of communication units, the method comprising:

providing location information (= arrival of bus at a specified location, see Par. [0015]), via a mobile communication unit (= mobile base station, see Par. [0037-38]) adapted for use by the mobile service provider traveling to a previously undisclosed location where a service is to be performed of at least one of a current location of, and a location to be visited by (see Pars. 0018, 0024, 0035 and 0047), the mobile service provider to an intermediate device (= monitoring the progress of each vehicle along its route, see Pars. [0027-0033 and 0037]; whereby the bus company or base station, including a processor, is being associated with the "intermediate device"); and

initiating the transmission of a wireless message (= alert signal to user, see Par. [0036]), by the intermediate device in dependence on the location information provided by the mobile service provider, to a number of communication devices (= number of passengers 18a-x with mobile phones 20a-x, see Par. [0103]) in the at least one of the current location of, and the location to be visited by, the mobile service provider,

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wherein said wireless message indicates the service to be provided by said mobile service provider at the at least one of the current location of, and the location to be visited by, the mobile service provider (= each bus or other vehicles communicates their position which translate into an expected time of arrival of the bus, see Pars.[0036-0045]).

Regarding claim 33, as recited in claim 32, Haddad discloses the method, wherein the initiating the transmission of a wireless message step comprises transmitting a wireless message to a number of communication devices in a predetermined location when the location information indicates the mobile service provider has at least one of moved into and is approaching the predetermined location (see Pars. [0028-37]).

Regarding claim 34, as recited in claim 32, Haddad discloses that the method further comprising:

registering an interest in said service by a number of communication devices (user 18 specify how they wish to be notified of the expected event, see Par. [0020]); and identifying the communication devices that have registered an interest in said service and that are located in the at least one of the current location of, and the location to be visited by, the mobile service provider, such that said wireless message is transmitted to said communication devices (see Par. [0019-22]).

Regarding claim 35, as recited in claim 34, Haddad discloses the method, wherein registering an interest (expected arrival time of the bus, see Par. [0020]) in said service by said number of communication devices is specific to at least one of a particular geographic location and a location identified by a postcode (electronic address or office phone, see Pars. [0020,0109 and 0143]).

Regarding claim 36, as recited in claim 32, Haddad discloses the method, wherein said wireless message includes contact details for said mobile service provider, the method further comprising:

receiving said wireless message at a number of communication devices; and contacting, by one or more users of said communication devices, said mobile service provider in response to receiving said wireless message (wireless device has the functionality of alerting impending event and may allow voice connection or text communication, see Pars. [0141-42 and 0168]).

Regarding claim 37, as recited in claim 32, Haddad discloses that the method further comprising: broadcasting, by said intermediate device, a message to said number of communication units within a location area indicating an availability of said mobile service provider (see Pars. [0018, 0027-33 and 0126]).

Regarding claim 38, as recited in claim 34, Haddad discloses that the method further comprising: accessing a database (see database 23, Fig. 4), by said intermediate

device, to identify a group of users that have registered an interest in said service provided by said mobile service provider (see Pars. [0109 and 0116] and Fig. 4).

Regarding claim 39, as recited in claim 38, Haddad discloses the method, wherein said database contains location information for a number of said users such that one or more of said user are informed by said intermediate device when said mobile service provider enters at least one of a communication cell, a geographic area, and a post code area matching said location (see Pars. 0105 and 0112).

Regarding claim 40, as recited in claim 34, Haddad discloses the method, wherein registering an interest in said service comprises: subscribing, by a user interested in said service provided by said mobile service provider, to at least one of a network operator (base station 12, see Fig. 1) and a wireless service provider operating said intermediate device, such that information relating to said service is communicated to said subscribed user (see Par. [0105-0112]).

Regarding claim 41, as recited in claim 32, Haddad discloses that the method further comprising:

accessing a database (database 23, see Par. [0116]), by said mobile service provider, wherein said database identifies a group of users in a location that have registered an interest in said service provided by said mobile service provider (see Par. [0105-0112]); downloading a list of said group of users (user request for early alert

alarm is sent to the processor that include a database, see Pars. [0105 and 0109] and Fig. 4); moving into said location by said mobile service provider; and transmitting a wireless message to a number of said group of users directly by said mobile service provider based on said downloaded list (see Pars. [0116 and 0126]).

Regarding claim 42, as recited in claim 32, Haddad discloses that the method further comprising: polling a number of communication devices in at least one of the same geographic area and cell where said mobile service provider is located to determine whether any of said polled communication devices have registered an interest to use a service offered by said mobile service provider (= signals are sent to user's mobile devices and devices which have a filter set appropriately will react to receipt of the telecast broadcast, see Par. [0126]).

Regarding claim 43, as recited in claim 32, Haddad discloses that the method further comprising: notifying said number of communication devices in a location of at least one of an event and an availability of said service at said location, via a short message service (SMS) message (see Pars. [0036-0141]).

Regarding claim 44, as recited in claim 32, Haddad discloses the method, wherein the transmission of a wireless message to a number of communication devices is sent at least one of: (i) intermittently, (ii) periodically, and (iii) during low traffic periods to utilize less expensive calling rates (see Pars. [0015-18 and 0126]).

Regarding claim 45, as recited in claim 37, Haddad discloses the method, wherein broadcasting a message of said availability of said mobile service provider (112) is sent at least one of: (i) intermittently, (ii) periodically, and (iii) during low traffic periods to utilize less expensive calling rates (see Pars. [0015-18 and 0126]).

Regarding claim 46, as recited in claim 37, Haddad discloses the method, wherein the transmission of a wireless message is sent on the same wireless communication system, as said step of broadcasting a message of said availability (see Pars. [0018 and 0126]) .

Regarding claim 47, as recited in claim 37, Haddad discloses the method, wherein broadcasting a message of said availability is sent on an adjunct communication system (= Bluetooth) to the communication system facilitating the transmission of a wireless message (see Par. [0036]).

Regarding claim 49, as recited in claim 32, Haddad discloses the method, wherein providing location based services by a mobile service provider using a wireless communication system that facilitates communication is implemented at least in part using a storage medium storing processor-implementable instructions adapted to control a processor (see Par. [0037-43 and 0165]).

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Regarding claim 50, as recited in claim 32, Haddad discloses the method, wherein the wireless communication system is one of a UMTS communication system, a GSM communication system, a GPRS communication system, and a Bluetooth communication system (see Par. [0036]).

Regarding claim 51, as recited in claim 32, Haddad discloses the method, wherein the mobile communication unit of the mobile service provider is one of: a cellular phone, a portable radio, a mobile radio, a personal digital assistant, a laptop computer, and a wirelessly networked PC (= mobile base station, see Par. [0037]; which is being associated with "mobile radio").

Regarding claim 52, Haddad discloses a mobile communication unit (= mobile base station, see Par. [0037-38]) for use by a mobile service provider (= bus 52, Fig. 5), comprising:

a processor (= control processor of the mobile base station, see Par. [0038]); and a transmitter (communication between transponder and bus, see Fig. 7), operably coupled to and responsive to said processor, wherein said processor is configured to provide location information of at least one of a current location of, and a location to be visited by (= each bus communicates its location to a control processor which uses the location to establish and alert user that the specific bus is coming, see Pars. [0038 and 0045]), the mobile service provider traveling to a previously undisclosed location where a service is to be performed (see Pars. 0018, 0024 and 0035 and 0047) to initiate

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transmission of a wireless message to a number of communication devices (= an alert to user, also see Pars. [0036-43]), in the at least one of the current location of, and the location to be visited by, the mobile service provider, and wherein said wireless message indicates the service to be provided by said mobile service provider (catching a bus, see Pars. [0036-43]) at the at least one of the current location of and the location to be visited by the mobile service provider (a selected bus stop and different bus stops, see Pars. [0027, 0035 and 0045]).

Regarding claim 53, as recited in claim 52, Haddad discloses the mobile communication unit, wherein said mobile communication unit is adapted to function as a mobile service provider advertising device and said wireless message includes one or more of the following:

mobile service provider contact details, a service provided/offered by a user of the mobile communication unit, a communication cell or geographical location of, or to be visited by, the mobile communication unit (see Pars. [0038, and 0128-27]).

Regarding claim 54, as recited in claim 52, Haddad discloses the mobile communication unit, wherein, wherein said mobile communication unit further comprising a receiver and a memory unit, operably coupled to said processor (see Pars. [0038]), said receiver arranged to receive a list of subscriber groups that have registered an interest in the service offered by the mobile service provider in a particular

geographic area or communication cell, and said memory unit is configured to store said received list (see Pars. [0105-0113 and 0109]).

Regarding claim 55, as recited in claim 52, Haddad discloses the mobile communication unit, wherein, wherein the communication unit is one of: a cellular phone, a portable radio, a mobile radio, a personal digital assistant, a laptop computer, and a wirelessly networked PC (= mobile base station, see Par. [0037]; which is being associated with "mobile radio").

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 48 is rejected under U.S.C. 103(a) as being unpatentable over Haddad in view of Kinnunen et al. (U.S. 20010018349 A1), (hereinafter Kinnunen).

Regarding claim 48, as recited in claim 37, Haddad fails to disclose the method, wherein the mobile service provider goes through an authentication process.

However, Kinnunen teaches the method, wherein the mobile service provider goes through an authentication process (see Par.[0109]).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Kinnunen with the system of Haddad for the benefit of achieving a system that authenticate service provider in order to confirm to service users that all services presented to them are legitimate (see Kinnunen, Par. [0109]).

Conclusion

7. **Examiner's Note:** Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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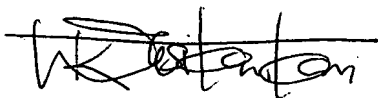
mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kwasi Karikari whose telephone number is


571-272-8566. The examiner can normally be reached on M-F (8 am - 4pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8566.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kwasi Karikari
Patent Examiner.
04/19/2007



JOSEPH FEILD
SUPERVISORY PATENT EXAMINER